

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse           §     AGREED  
License Number 628855                       §  
issued to DARILYN J. WILSON               §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DARILYN J. WILSON, Registered Nurse License Number 628855, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on November 20, 2007, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas on May 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on June 11, 1996.
5. Respondent's professional nursing employment history includes:

June 1996 to November 1998

Director of Nursing Services  
Heritage Convalescent Center  
Amarillo, Texas

Respondent's professional nursing employment history continued:

|                                 |  |
|---------------------------------|--|
| November 1998 to July 1999      | Staff Nurse<br>Baptist St. Anthony's Health System<br>Amarillo, Texas                                  |
| July 1999 to February 2002      | Director of Nursing Services<br>Amarillo Nursing Center<br>Amarillo, Texas                             |
| April 2002 to August 2002       | Charge Nurse/Director of Nursing Services<br>Integrated Health Services of Amarillo<br>Amarillo, Texas |
| August 2002 to September 2002   | Charge Nurse<br>Kirkland Court Health and Rehabilitation<br>Amarillo, Texas                            |
| September 2002 to December 2002 | Director of Nursing<br>Heritage Convalescent Center<br>Amarillo, Texas                                 |
| December 2002 to September 2003 | Director of Nursing<br>Care Inn of Plainview<br>Plainview, Texas                                       |
| September 2003 to Unknown       | Director of Nursing<br>Amarillo Nursing Center<br>Amarillo, Texas                                      |

6. At the time of the initial incident, Respondent was employed as a Director of Nursing with Amarillo Nursing Center, Amarillo, Texas, and had been in this position for one (1) year and one (1) month.
7. On or about October 2004 through November 2004, while employed as the Director of Nursing at Amarillo Nursing Center, Amarillo, Texas, Respondent failed to administer the influenza vaccine to all one hundred twenty (120) residents at the facility, as ordered by the physician. Respondent's conduct was likely to injure the residents in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.

### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555 , the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)(B)(C),(O), and 22 TEX. ADMIN. CODE §217.12(1)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 628855, heretofore issued to DARILYN J. WILSON, including revocation of Respondent's license to practice professional nursing in the State of Texas.

### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of

Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to DARILYN J. WILSON to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding Sexual Misconduct, Fraud, Theft and Deception, Nurses with Chemical Dependency, and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/about/stipscourses.html>.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17 day of Dec, 2007.

Darlyn J. Wilson  
DARILYN J. WILSON, Respondent

Sworn to and subscribed before me this 17 day of Dec, 2007.

SEAL

Diana Coburn  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 17th day of December, 2007, by DARILYN J. WILSON, Registered Nurse License Number 628855, and said Order is final.

Effective this 20th day of December, 2007.



Katherine A. Thomas, MN, RN  
Executive Director on behalf  
of said Board